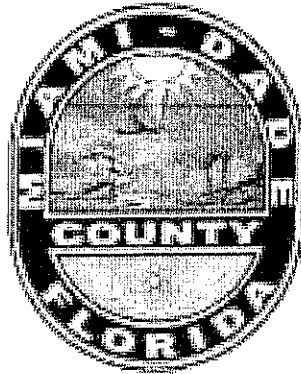


Miami-Dade County

Stephen P. Clark Government Center
111 N.W. 1st Street
Miami, Fl. 33128



LEGISLATIVE ANALYSIS

Monday, September 20, 2004
9:30 AM
Commission Chambers

Board of County Commissioners

Budget and Finance Committee

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

ORDINANCE AMENDING SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO LIMIT ADMINISTRATIVE EXERCISE OF OPTIONS TO RENEW CONTRACTS WITHIN COUNTY MANAGER'S DELEGATED AWARD AUTHORITY; PROVIDING EXCEPTIONS; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE

Commissioner Joe A. Martinez
Commissioner Rebeca Sosa

I. SUMMARY

This ordinance amends Section 2-8.1 of the County Code to require the County Manager to get approval from the Board before approving options to renew where the combined value of the contract and the option to renew (OTR) exceed \$1 million.

II. PRESENT SITUATION

The Board has delegated to the County Manager authority to advertise, award and reject bids up to \$1 million, with certain exceptions. In general, there is currently no limit on the County Manager's authority to exercise **options to renew**, as long as the original contract amount is not more than \$1 million.

III. POLICY CHANGE AND IMPLICATION

This would require the Manager to get Board approval before exercising options to renew where the combined value of the contract and OTR is greater than \$1 million.

For example, if a three year contract is worth \$900,000 and the OTR would increase the contract to \$1.2 million, it would have to come to the Board for approval first. Under the current delegated authority, the Manager could approve the contract and exercise the OTR administratively, and the Board would approve it retroactively.

IV. ECONOMIC IMPACT

None.

V. COMMENTS AND QUESTIONS

This item does not specify how the requests to exercise OTRs would go to the Board. According to the Department of Procurement Management (DPM), this item would impact a majority (75%+) of all contracts. To ensure that approval to exercise OTRs where in the best interest in the County is obtained with sufficient time prior to contract end and to allow time, if needed, to procure a new contract, DPM has suggested:

- including a new section in the bid package items that already go to the Board that would give *advance* authority to exercise OTRs, or
- having the request to exercise OTRs be part of the quarterly report of contracts greater than \$100,000 that DPM already submits to the Board.

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If the item is approved, it would affect contracts approved since October 1, 2003. In addition, the Master Procurement Administrative Order would have to be amended via a separate resolution.

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

*RESOLUTION DIRECTING MAILING OF NOTICE AND WARNING WITH 2004
RESIDENTIAL REAL PROPERTY TAX BILLS*

Senator Javier D. Souto

I. SUMMARY

This resolution directs the Manager to include a notice and warning regarding the Homestead Exemption (HEX) with the 2004 residential real property tax bill.

The notice (handwritten page 5, copy attached) would consist of eligibility criteria for the HEX and contact information for any questions. The warning specifies the penalties associated with improperly claiming the HEX.

II. PRESENT SITUATION

The 2004 tax bill is sent in October, shortly after the final millages and budget have been adopted. Property owners that qualify for the HEX do not need to reapply every year, but first time recipients must apply by March 1.

III. POLICY CHANGE AND IMPLICATION

While information regarding the HEX is widely available to the public, this notice would serve as a reminder to taxpayers, and the warning on penalties deter potential fraud.

IV. ECONOMIC IMPACT

Minimal. Since this notice and warning will be sent with the October tax bill, no separate mailing is necessary.

V. COMMENTS AND QUESTIONS

Including this notice with the residential tax bill is logical since the HEX is an important and relevant part in the calculation of the bill.

The resolution specifies the notice will be included in the 2004 tax bill. Will this notice be included in future tax bills?

There is no requirement in the resolution that this notice also be in Spanish and Creole.

To increase the likelihood that penalties for fraud in the "warning" paragraph stand out, the penalties could be bolded or italicized (the owner or property shall be subject to taxes exempted...plus 15% interest, and a penalty of 50 percent of the taxes exempted...also subject to criminal prosecution...)

HOMESTEAD EXEMPTION REMINDER

Dear Property Owner:

This notice is a reminder that in order to remain eligible for homestead exemption on your property, you must meet and maintain the following eligibility criteria:

1. You must have legal or equitable title to the property
2. You must permanently reside on the property
3. The property cannot be rented (Refer to Florida Statutes 196.061)
4. You must permanently reside in the State of Florida
5. You must be a U.S. citizen or legal permanent resident
6. You must file an application for homestead exemption by March 1 if:
 - a. You are a new owner of the property, or
 - b. There has been any change in ownership or use of the property

Florida Law prescribes that it is the duty of the owner of any property granted an exemption to notify the Property Appraiser promptly, whenever the use of the property or the status or condition of the owner changes, so as to change the exempt status of the property. If any owner fails to notify the Property Appraiser and the Property Appraiser determines that for any year within the prior ten years the owner was not entitled to receive homestead exemption and/or Amendment 10 assessment limitation, the owner or property shall be subject to the taxes exempted as a result of such failure, plus 15 percent interest per annum, and a penalty of 50 percent of the taxes exempted. Furthermore, anyone providing false information and improperly claiming homestead exemption may also be subject to criminal prosecution for tax fraud and/or other related crimes.

For any questions or to report homestead exemption fraud, please telephone 305-375-4054.

You may also contact the Property Appraisal Department via the Internet at www.miamidade.gov/pa

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION APPROVING ISSUANCE OF MIAMI-DADE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY INDUSTRIAL DEVELOPMENT REVENUE REFUNDING BONDS IN AN AMOUNT NOT TO EXCEED \$4,115,000 TO REFUND CERTAIN OUTSTANDING BONDS OF THE AUTHORITY ISSUED FOR BENEFIT OF SUSANNA WESLEY HEALTH CENTER, INC. FOR PURPOSES OF AND PURSUANT TO SECTION 159.47(1), FLORIDA STATUTES, AS AMENDED

Industrial Development Authority

I. SUMMARY

The Industrial Development Authority ("IDA") was created by resolution of Miami-Dade's Board of County Commissioners (the "Commissioners") in accordance with Florida Statutes Part III, Title XI, Chapter 159.44 to 159.53. The members of IDA are appointed by the Commissioners (per 159.45 (3)) to serve four-year terms. Before the Board are four resolutions authorizing the issuance of Industrial Development Revenue Bonds.

II. PRESENT SITUATION

N/A

III. POLICY CHANGE AND IMPLICATION

The Board's approval of the issuance of Industrial Revenue Bonds will allow the applicants to receive Bond Financing without the County incurring any liability.

IV. ECONOMIC IMPACT

Item	Applicant	Bond Max.
3E	Susanna Wesley Health Center	\$4,115,000 ^a
3F	Covent of the Sacred Heart, Miami, Inc. d/b/a Carrollton School of the Sacred Heart	\$5,100,000
3G	RAM Investments of South Florida, Inc [SeaVee Boat]	\$3,650,000
3H	Waste Management, Inc	\$23,000,000 ^b

a – Revenue Refunding Bonds (No Public Hearing was required)

b – Increase to \$23,000,000 from previously approved \$21,000,000

V. COMMENTS AND QUESTIONS

- As required by Federal Law, the Industrial Development Authority held a Public Hearing on August 25, 2004.